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To: Hon. Commissioner of Patents
Attn: Examiner; Herng Der Day
Group: 2123

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Date: March 3, 2004

Re: U.S. Serial No. 09/455,408

CC:

Filed: December 6, 1999

ATS&K Ref: 612.37806X00

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• **Comments:**

I hereby certify that this "Submission of Substitute Specification and Description of Substance of Interview; Substitute Specification-Marked-up Copy and Substitute Specification (Clean Copy)" (43 pages) is being facsimiled to the Patent and Trademark Office (Fax No. 703-746-9166 on March 3, 2004).


Donald E. Stout

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612.37806X00
4424/00/JC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Sylvain SARDA
Serial No.: 09/455,408
Filed: December 6, 1999
For: METHOD FOR MODELLING FLUID FLOWS IN A
FRACTURED MULTILAYER POROUS MEDIUM AND
CORRELATIVE INTERACTIONS IN A PRODUCTION WELL
Art Unit: 2123
Examiner: Day, H.

**SUBMISSION OF SUBSTITUTE SPECIFICATION AND
DESCRIPTION OF SUBSTANCE OF INTERVIEW**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 3, 2004

Sir:

In accordance with the telephone request from Examiner Day today, Applicant submits a Substitute Specification which has been drafted to again make reference to French Patent No. 2,757,947 which was referred to in the original application as filed. French Patent No. 2,757,947 was published prior to the filing date of the present application and therefore constitutes subject matter which was generally available to the public at the time the present application was filed and which may be considered for purposes of satisfying the requirements of 35 USC §112, first paragraph.

During the interview it was discussed that the Examiner would discuss in a forthcoming first Office Action, whether a Supplemental Declaration was required in

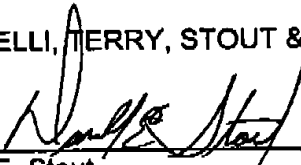
that Mr. Bourbiaux's Declaration pursuant to 37 CFR §1.132 refers to U.S. Patent 6,023,656 instead of its French counterpart 2,757,947.

It is requested that the Examiner call the undersigned immediately if the enclosed Substitute Specification does not comply with his request made to the undersigned today.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (612.37806X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



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